

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 SUSAN MELTON WILSON, State Bar No. 106902
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-4942
Facsimile: (213) 897-2804

6 Attorneys for Complainant
7
8

9 **BEFORE THE**
10 **BOARD OF PHARMACY**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 3153

14 ANDREA K. JENKINS
15 1423 North 5th Street
Point Hueneme, CA 93041

16 Pharmacy Technician Registration
No. TCH 21784

**DEFAULT DECISION
AND ORDER**

[Gov. Code, §11520]

Respondent.

FINDINGS OF FACT

18 1. On or about July 15, 2008, Complainant Virginia Herold, in her official
19 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs,
20 filed Accusation No. 3153 against ANDREA K. JENKINS before the Board of Pharmacy.

21 2. On or about March 20, 1997, the Board issued Pharmacy Technician
22 Registration No. TCH 21784 to Andrea K. Jenkins (Respondent). The Pharmacy Technician
23 Registration was in full force and effect at all times relevant to the charges brought herein,
24 expired on June 30, 2008, and has not been renewed.

25 3. On or about July 31, 2008, Gilda R. Sanchez, an employee of the
26 Department of Justice, served by Certified and First Class Mail a copy of the Accusation No.
27 3153, Amended Statement to Respondent, Notice of Defense, Amended Request for Discovery,
28

1 and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record
2 with the Board, which was and is 1423 North 5th Street, Point Hueneme, CA 93041. ¹ A copy of
3 the Accusation, the related documents, and Declaration of Service are attached as **Exhibit A**,
4 and are incorporated herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the
6 provisions of Government Code section 11505, subdivision (c).

7 5. The First Class mailing was not returned and presumed delivered to the
8 addressee. The certified mailing postal return card was returned by the post office indicating
9 delivery to the addressee on August 1, 2008. The returned postal return card is attached hereto as
10 **Exhibit B**, and incorporated by reference.

11 6. Government Code section 11506 states, in pertinent part:

12 "(c) The respondent shall be entitled to a hearing on the merits if the respondent
13 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the
14 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of
15 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

16 7. Respondent failed to file a Notice of Defense within 15 days after service
17 upon her of the Accusation, and therefore waived her right to a hearing on the merits of
18 Accusation No. 2006-215.

19 8. California Government Code section 11520 states, in pertinent part:

20 "(a) If the respondent either fails to file a notice of defense or to appear at the
21 hearing, the agency may take action based upon the respondent's express admissions or upon
22 other evidence and affidavits may be used as evidence without any notice to respondent."

23 9. Pursuant to its authority under Government Code section 11520, the Board

24
25 1. The *Statement to Respondent* and other accompanying documents in the service
26 package are referred to as "Amended." This is because initial service of the Accusation by
27 certified and first class mail to Respondent's address of record included accompanying
28 documents with a clerical error in the caption(s). The error was noted after the documents were
mailed. In order to cure any possible defect in notice to Respondent, a new, corrected set of
accompanying documents was prepared - and a second service of the Accusation made a few
days later, on July 31, 2008, as described.

1 finds Respondent is in default. The Board will take action without further hearing and, based on
2 Respondent's express admissions by way of default and the evidence contained in Board files
3 related to this matter, including attached exhibits, finds that the allegations in Accusation No.
4 2006-215 are true.

5 10. *Vicodin ES* (generic - Hydrocodone 7.5 and Acetaminophen 750mg) is a
6 dangerous drug as defined section 4022 and is classified as a Schedule III controlled substance as
7 listed in the Health and Safety Code Section 11056(e)(4). It is a narcotic analgesic used in the
8 treatment of moderate to severe pain.

9 11. *Apidex* is a brand name for the drug "Phentermine" and is a dangerous
10 drug as defined in section 4022 and classified as a Schedule IV controlled substance as listed in
11 the Health and Safety Code Section 11057(f)(4). It is anorexiant used in the treatment of obesity.

12 12. *Darvocet N* (generic-Propoxyphene 100mg and Acetaminophen 650mg) is
13 a dangerous drug as defined in section 4022 and classified as a Schedule IV controlled substance
14 as listed in the Health and Safety Code Section 11057(c)(2). It is a narcotic analgesic used in the
15 treatment of moderate to severe pain.

16 13. *Diazepam* is the generic form of a drug commonly known by the brand
17 names of "Valium" and is a dangerous drug as defined section 4022 and classified as a Schedule
18 IV controlled substance as listed in the Health and Safety Code Section 11057(d)(9). It is
19 narcotic used in the treatment of anxiety.

20 14. *Diethxpropion* (generic) is a dangerous drug as defined section 4022 and
21 classified as a Schedule IV controlled substance as listed in the Health and Safety Code Section
22 11057(f)(1). It is anorexiant analgesic used in the treatment of obesity.

23 15. *Soma* is a brand name for the drug "Carisprodol", and is a dangerous drug
24 as defined section 4022. It is a non-narcotic analgesic used in the treatment of skeletal muscle
25 pain.

26 16. *Clonazepam*, also known by the brand name of "Klonopin" is a dangerous
27 drug as defined section 4022 and classified as a Schedule IV controlled substance as listed in the
28 Health and Safety Code Section 11057(d)(7). It is an anticonvulsant used in the treatment of

1 seizure disorders and panic attacks.

2 17. *Ambien* is a brand name for the drug "zolpidem" and is a dangerous drug
3 as defined in section 4022 and classified as a Schedule IV controlled substance as listed in the
4 Health and Safety Code Section 11057 (a)(32) is a depressant typically used as a sedative.

5 18. Respondent is subject to disciplinary action under Code sections 4300,
6 4301, subdivision (f),(j) and (o), section 4059, subdivision (a) and Health and Safety Code
7 section 11170 for unprofessional conduct due to multiple acts involving dishonesty, fraud, deceit,
8 and/or corruption in that between May 1, 2006 and October 25, 2006, while employed as a
9 pharmacy technician at Rite Aide Pharmacy No. 5782 ("Rite Aid"), in Port Hueneme, CA,
10 Respondent, by her own admission, diverted narcotics and dangerous drugs from Rite Aid as
11 follows:

12 A. On October 25, 2006, while on duty as a pharmacy technician at
13 Rite Aide, Respondent was observed stealing Vicodin ES tablets, which she then hid in
14 her purse.

15 B. When confronted with evidence of the diversion, Respondent
16 admitted that, she had diverted "several handfuls" of the drugs Soma, and Vicodin ES
17 from Rite Aid.

18 C. At that time, during a consensual search of her purse by a Rite Aid
19 manager, Respondent was found to be in possession of controlled substances, for which
20 she had no prescription, as follows: (1) Soma (350mg) *18 tablets*; (2) Darvocet N (100)
21 *3 tablets*; (3) Vicodin ES (11 + 17) *28 tablets*; (4) Diazepam (2mg) *20 tablets*; (5)
22 Drethylroprion (75mg) *1 tablet*; (6) Adipex (30 mg) (19 + 2) *21 tablets*.

23 D. The referenced search of Respondent's purse also disclosed
24 quantities of the drugs *Ambien* and Clonazepam (1mg), for which she had legitimate
25 prescriptions. However, Respondent had a much larger quantity of Clonazepam (*90*
26 *tablets*) than was authorized by her prescription (*30 tablets*).

27 E. In a "Letter of Explanation" to her employer written by Respondent
28 on October 25, 2006, Respondent estimated she had diverted drugs from Rite Aid on at

1 least three occasions prior to October 25, 2006.

2 F. On October 25, 2006, Port Hueneme Police Department officers
3 arrested Respondent for possession of controlled substances without a prescription.

4 However, no criminal prosecution resulted.

5 19. Respondent is subject to disciplinary action under Code sections 4300,
6 4301, subdivisions (j) and (o) and 4060, subdivision (a) and Health and Safety Code section
7 11377, subdivision (a) for unprofessional conduct in that on or about October 25, 2006, while
8 employed and on duty as a pharmacy technician at Rite Aide, was observed stealing Vicodin ES
9 tablets, and was found in a consensual search of her purse to be in possession of quantities of
10 other controlled substances for which she had no prescription, and admitted that she had diverted
11 drugs from Rite Aid on at least three occasions prior to October 25, 2006, as more fully described
12 in paragraph 18, above.

13 20. Respondent is subject to disciplinary action under Code sections 4300,
14 4301, subdivision (j) and (o) and Health and Safety Code section 11173 (a) for unprofessional
15 conduct for committing acts of fraud, deceit, misrepresentation, and/or subterfuge to obtain
16 narcotics and dangerous drugs, in that on October 25, 2006, while employed and on duty as a
17 pharmacy technician at Rite Aide, was observed stealing Vicodin ES tablets, was found to be in
18 possession of quantities of other controlled substances for which she had no prescription, leading
19 to additional evidence, including her own admissions, that Respondent had diverted quantities of
20 drugs from the pharmacy on at least three occasions in addition and prior to October 25, 2006, as
21 more fully described in paragraph 18, above.

22 21. Respondent is subject to disciplinary action under Code sections 4300,
23 4301, subdivision (j) and (o) and 4327 for unprofessional conduct in that on or about October 25,
24 2006, while employed as a pharmacy technician at Rite Aide, Respondent diverted drugs from
25 pharmacy drug stock, during her shift that day, while on duty performing usual and customary
26 responsibilities as a pharmacy technician, she diverted and then ingested quantities of the drugs
27 Vicodin ES and Soma.

28 ///

1 22. Respondent is subject to disciplinary action under Code sections 4300,
2 4301 subdivisions (h) for unprofessional conduct in that approximately between May 1, 2006 and
3 October 25, 2006, while employed as a pharmacy technician at Rite Aid, Respondent self-
4 administered and/or used controlled substances and/or dangerous drugs while on duty as a
5 pharmacy technician and otherwise to the extent or in a manner as to be dangerous or injurious to
6 herself or to others as described more fully in paragraphs 18 and 21 above.

7 23. The total costs for investigation and enforcement are Six Thousand, and
8 Thirty Dollars (\$6,030.00).

9 **DETERMINATION OF ISSUES**

10 1. Based on the foregoing Findings of Fact, Respondent ANDREA K.
11 JENKINS has subjected her Pharmacy Technician Registration No. TCH 21784 to discipline
12 under Business and Professions Code section 4300, 4301, subdivision (f)(h)(j) and (o), section
13 4059, subdivision (a), sections 4060, subdivision (a), and section 4327, and Health and Safety
14 Code section 11170, section 11377, subdivision (a), section 11173(a).

15 2. A copy of the Accusation and the related documents and Declaration of
16 Service are attached.

17 3. The agency has jurisdiction to adjudicate this case by default.

18 4. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy
19 Technician Registration No. TCH 21784

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3

5

10

12

14

17

18

Exhibit A

Accusation No. 3153

Related Documents and Declaration of Service

EDMUND G. BROWN JR., Attorney General
of the State of California
GREGORY J. SALUTE
Supervising Deputy Attorney General
SUSAN MELTON WILSON, State Bar No. 106902
Deputy Attorney General
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-4942
Facsimile: (213) 897-2804

Attorneys for Complainant

**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 3153

ANDREA K. JENKINS
1423 North 5th Street
Point Hueneme, CA 93041

ACCUSATION

Pharmacy Technician Registration
No. TCH 21784

Respondent.

Complainant alleges:

PARTIES

1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs.

2. On or about March 20, 1997, the Board issued Pharmacy Technician Registration No. TCH 21784 to Andrea K. Jenkins (Respondent). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2008, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise

1 indicated.

2 4. Section 118, subdivision (b) states:

3 The suspension, expiration, or forfeiture by operation of law of a license issued by
4 a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by
5 order of a court of law, or its surrender without the written consent of the board, shall not, during
6 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
7 authority to institute or continue a disciplinary proceeding against the licensee upon any ground
8 provided by law or to enter an order suspending or revoking the license or otherwise taking
9 disciplinary action against the licensee on any such ground.

10 5. Section 4300 of the Code provides, in pertinent part, that every license
11 issued by the Board is subject to discipline, including suspension or revocation.

12 6. Section 4301 of the Code states:

13 "The board shall take action against any holder of a license who is guilty of
14 unprofessional conduct or whose license has been procured by fraud or misrepresentation or
15 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the
16 following:

17

18 "(f) The commission of any act involving moral turpitude, dishonesty, fraud,
19 deceit, or corruption, whether the act is committed in the course of relations as a licensee or
20 otherwise, and whether the act is a felony or misdemeanor or not.

21 . . .

22 "(h) The administering to oneself, of any controlled substance, or the use of
23 any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or
24 injurious to oneself, to a person holding a license under this chapter, or to any other person or to
25 the public, or to the extent that the use impairs the ability of the person to conduct with safety to
26 the public the practice authorized by the license.

27 . . .

28 "(j) The violation of any of the statutes of this state or of the United States

1 regulating controlled substances and dangerous drugs.

2 ...

3 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or
4 abetting the violation of or conspiring to violate any provision or term of this chapter or of the
5 applicable federal and state laws and regulations governing pharmacy, including regulations
6 established by the board or by any other state or federal regulatory agency."

7 7. Section 4022 defines "Dangerous Drugs" as any drug that is unsafe for
8 self-medication and which by federal or state law can be lawfully dispensed only on prescription.

9 8. Section 4059, subdivision (a) of the Code states in pertinent part:

10 "A person may not furnish any dangerous drug, except upon the prescription of a
11 physician, dentist, podiatrist, optometrist, veterinarian or naturopathic doctor pursuant to Section
12 3640.5. A person may not furnish any dangerous device, except upon the prescription of a
13 physician, dentist, podiatrist, optometrist, veterinarian or naturopathic doctor pursuant to Section
14 3640.5."

15 9. Section 4060 of the Code states in pertinent part that "(n)o person shall
16 possess any controlled substance, except that furnished to a person upon the prescription of a
17 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section
18 3640.7, or furnished pursuant to a drug order issued by a certified nurse-midwife pursuant to
19 Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a physician assistant
20 pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5...."

21 10. Section 4327 of the Code states that "any person who, while on duty ,
22 sells, dispenses, or compounds any drug while under the influence of any dangerous drug or
23 alcoholic beverage shall be guilty of a misdemeanor."

24 11. Health & Safety Code section 11170 states that no person shall prescribe,
25 administer, or furnish a controlled substance for himself.

26 12. Health & Safety Code section 11173(a) states that no person shall obtain
27 or attempt to obtain controlled substances, or procure or attempt to procure the administration of
28 or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or

(2) by the concealment of a material fact.

13. Health & Safety Code section 11377(a) states, in pertinent part, that every person who possesses any controlled substance which is classified in Health & Safety Code section 11055(d)(2) and which is not a narcotic drug, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian, licensed to practice in this state, shall be punished by imprisonment in a county jail for a period of not more than one year or in the state prison.

14. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

DRUG CLASSIFICATIONS

15. Vicodin ES (generic - Hydrocodone 7.5 and Acetaminophen 750mg) is a dangerous drug as defined section 4022 and is classified as a Schedule III controlled substance as listed in the Health and Safety Code Section 11056(e)(4). It is a narcotic analgesic used in the treatment of moderate to severe pain.

16. Apidex is a brand name for the drug "Phentermine" and is a dangerous drug as defined in section 4022 and classified as a Schedule IV controlled substance as listed in the Health and Safety Code Section 11057(f)(4). It is anorexiant used in the treatment of obesity.

17. Darvocet N (generic-Propoxyphene 100mg and Acetaminophen 650mg) is a dangerous drug as defined in section 4022 and classified as a Schedule IV controlled substance as listed in the Health and Safety Code Section 11057(c)(2). It is a narcotic analgesic used in the treatment of moderate to severe pain.

18. Diazepam is the generic form of a drug commonly known by the brand names of "Valium" and is a dangerous drug as defined section 4022 and classified as a Schedule IV controlled substance as listed in the Health and Safety Code Section 11057(d)(9). It is narcotic used in the treatment of anxiety.

19. Diethxpropion (generic) is a dangerous drug as defined section 4022 and classified as a Schedule IV controlled substance as listed in the Health and Safety Code Section

1 11057(f)(1). It is a anorexiant analgesic used in the treatment of obesity.

2 20. Soma is a brand name for the drug "Carisprodol", and is a dangerous drug
3 as defined section 4022. It is a non-narcotic analgesic used in the treatment of skeletal muscle
4 pain.

5 21. Clonazepam, also known by the brand name of "Klonopin" is a dangerous
6 drug as defined section 4022 and classified as a Schedule IV controlled substance as listed in the
7 Health and Safety Code Section 11057(d)(7). It is an anticonvulsant used in the treatment of
8 seizure disorders and panic attacks.

9 22. Ambien is a brand name for the drug "zolpidem" and is a dangerous drug
10 as defined in section 4022 and classified as a Schedule IV controlled substance as listed in the
11 Health and Safety Code Section 11057 (a)(32) is a depressant typically used as a sedative.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Act(s) of Dishonesty and Deceit : Theft of Drug Stock from Employer)**

14 23. Respondent is subject to disciplinary action under Code sections 4300,
15 4301, subdivision (f),(j) and (o), section 4059, subdivision (a) and Health and Safety Code
16 section 11170 for unprofessional conduct due to multiple acts involving dishonesty, fraud, deceit,
17 and/or corruption in that between May 1, 2006 and October 25, 2006, while employed as a
18 pharmacy technician at Rite Aide Pharmacy No. 5782 ("Rite Aid"), in Port Hueneme, CA,
19 Respondent, by her own admission, diverted narcotics and dangerous drugs from Rite Aid as
20 follows:

21 A. On October 25, 2006, while on duty as a pharmacy technician at Rite Aide,
22 Respondent was observed stealing Vicodin ES tablets, which she then hid in her purse.

23 B. When confronted with evidence of the diversion, Respondent admitted
24 that, she had diverted "several handfuls" of the drugs Soma, and Vicodin ES from Rite Aid.

25 C. At that time, during a consensual search of her purse by a Rite Aid
26 manager, Respondent was found to be in possession of controlled substances, for which she had
27 no prescription, as follows:

28 1. Soma (350mg) 18 tablets

- 1 2. Darvocet N (100) *3 tablets*
2 3. Vicodin ES (11 + 17) *28 tablets*
3 4. Diazepam (2mg) *20 tablets*
4 5. Drethylroprion (75mg) *1 tablet*
5 6. Adipex (30 mg) (19 + 2) *21 tablets*

6 D. The referenced search of Respondent's purse also disclosed quantities of
7 the drugs Ambien and Clonazepam (1mg), for which she had legitimate prescriptions. However,
8 Respondent had a much larger quantity of Clonazepam (*90 tablets*) than was authorized by her
9 prescription (*30 tablets*).

10 E. In a "Letter of Explanation" to her employer written by Respondent on
11 October 25, 2006, Respondent estimated she had diverted drugs from Rite Aid on at least three
12 occasions prior to October 25, 2006.

13 F. On October 25, 2006, Port Hueneme Police Department officers arrested
14 Respondent for possession of controlled substances without a prescription. However, no criminal
15 prosecution resulted.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Unlawful Possession of Narcotics and Dangerous Drugs)**

18 24. Respondent is subject to disciplinary action under Code sections 4300,
19 4301, subdivisions (j) and (o) and 4060, subdivision (a) and Health and Safety Code section
20 11377, subdivision (a) for unprofessional conduct in that on or about October 25, 2006, while
21 employed and on duty as a pharmacy technician at Rite Aide, was observed stealing Vicodin ES
22 tablets, and was found in a consensual search of her purse to be in possession of quantities of
23 other controlled substances for which she had no prescription, and admitted that she had diverted
24 drugs from Rite Aid on at least three occasions prior to October 25, 2006, as described more fully
25 in paragraph 23 above.

26 ///

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Obtaining Drugs by Fraud, Deceit, Misrepresentation, or Subterfuge)**

3 25. Respondent is subject to disciplinary action under Code sections 4300,
4 4301, subdivision (j) and (o) and Health and Safety Code section 11173 (a) for unprofessional
5 conduct for committing acts of fraud, deceit, misrepresentation, and/or subterfuge to obtain
6 narcotics and dangerous drugs, in that on October 25, 2006, while employed and on duty as a
7 pharmacy technician at Rite Aide, was observed stealing Vicodin ES tablets, was found to be in
8 possession of quantities of other controlled substances for which she had no prescription, leading
9 to additional evidence, including her own admissions, that Respondent had diverted quantities of
10 drugs from the pharmacy on at least three occasions in addition and prior to October 25, 2006, as
11 more fully described in paragraph 23, above.

12 **FOURTH CAUSE FOR DISCIPLINE**

13 **(Dispensing While Under the Influence)**

14 26. Respondent is subject to disciplinary action under Code sections 4300,
15 4301, subdivision (j) and (o) and 4327 for unprofessional conduct in that on or about October 25,
16 2006, while employed as a pharmacy technician at Rite Aide, Respondent admitted diverting
17 drugs from pharmacy drug stock, as described more fully in paragraph 23 above. Respondent
18 further admitted that during her shift that day, while on duty performing usual and customary
19 responsibilities as a pharmacy technician, she diverted and then ingested quantities of the drugs
20 Vicodin ES and Soma.

21 **FIFTH CAUSE FOR DISCIPLINE**

22 **(Self-Administering/Dangerous Use of Controlled Substances)**

23 27. Respondent is subject to disciplinary action under Code sections 4300,
24 4301 subdivisions (h) for unprofessional conduct in that approximately between May 1, 2006 and
25 October 25, 2006, while employed as a pharmacy technician at Rite Aid, Respondent self-
26 administered and/or used controlled substances and/or dangerous drugs while on duty as a
27 pharmacy technician and otherwise to the extent or in a manner as to be dangerous or injurious to
28 herself or to others as described more fully in paragraphs 23 and 26 above.

1 **OTHER MATTERS**

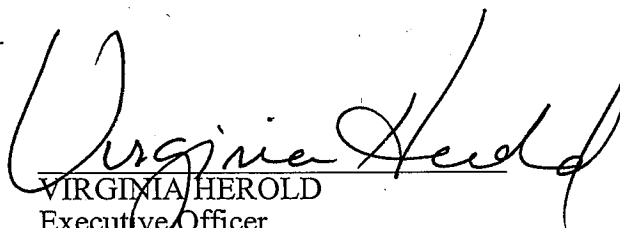
2 28. As described in paragraph 23 above, on or about October 25, 2006 Port
3 Hueneme Police Department officers arrested and booked Respondent for possession of
4 controlled substances without a prescription. Officers then questioned Respondent at length. At
5 that time, Respondent described emotional and mental problems, stated that she was suicidal and
6 despondent over the death of her brother, and that she was a "cutter" - having recently cut herself
7 to cope with painful memories. Officers transferred her to the Ventura County Health
8 Department where she was committed for a 72 hour hold for psychiatric evaluation pursuant to
9 Welfare and Institutions Code section 5150.

10 **PRAYER**

11 **WHEREFORE**, Complainant requests that a hearing be held on the matters
12 herein alleged, and that following the hearing, the Board issue a decision:

- 13 1. Revoking or suspending Pharmacy Technician Registration No. TCH
14 21784, issued to Andrea K. Jenkins;
- 15 2. Ordering Andrea K. Jenkins to pay the Board the reasonable costs of the
16 investigation and enforcement of this case, pursuant to Business and Professions Code section
17 125.3;
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: 7/15/08

21
22 
23 VIRGINIA HEROLD
24 Executive Officer
25 Board of Pharmacy
26 State of California
27 Complainant
28

60308059